

A beginning note, most of the following is taken from Abu Ayyub bin Noor al-Burqa'ee/Abu Marwaan as-Sudaani's refutation of Ali al-Halabi in his takhreej of the athaar of Ibn Abbas. I will quote the athaar and then quote al-Burqa'ees reply, Insha'Allah.

Athaar One and Two:

Ibn Jareer reported, "Narrated to me, Hunaad and narrated to me, Ibn Wakee'ah who said, Narrated to me, my father from Sufyan from Mu'Amr Ibn Rashaad from Ibn Tawus from his father from Ibn Abbas, **"and whosoever does not judge by what Allah has revealed, such are the disbelievers"**. (He said) **in it there is Kufr, but not like Kufr in His Angels and His Books and His Messengers.** [Tafsir Ibn Jareer, vol.6 p.256]

Comment: I say this isnaad is Sahih, and what it apparent is that all the statement is from Ibn Abbas rahimahullah. And many people have fallen for this athaar due to its isnaad and have not noticed the idraaj (interpolation) which is made clear by the narration found in the collection of Imaam 'Abdurazzaq:

We were informed by Mu'Amr from Ibn Tawus from his father: "Ibn Abbas was asked about His saying: "and whoever does not rule by what Allah has revealed, such are the disbelievers", (so) he said: "In it there is Kufr" (hiya bihi kufrun). Ibn Tawus said: "But not like Kufr in His angels, and His books and His messengers"

[And idraaj, as can be read in the small booklet on science in hadith in English, by Suhayb Hassan, is: **"If an expression or statement is proved to be an addition by a reporter to the text, it is declared as mudraj (interpolated)."** al-Burqa'ee quotes the definition of ath-Thahabi, which adds that 'and later a hadith may be found that splits the additional expression of the reporter, from the original statement, see al-Muwqitha fi 'Ilm il-Hadith, page 53-54]

Al-Burqa'ees words: Add to that, that Abdurazzaq is more reliable (athbat) and more better (atqan) than Mu'Amr, and the saying is for him if differing occurs:

Yaqub bin Shaybah says: "Abdurazzaq is more reliable than Mu'Amr, and better"

And Ibn Asa'akir said: "I heard Ahmed bin Hanbal say, If you see the companions of Mu'ammarr differ, then the hadith is for Abdurazzaq" [See: Sharh 'Ilal at-Tirmidhi for Ibn Rajab, volume 2/607]

[In addition, one should note that Ibn Kathir does not mention the athaar found in Ibn Jareer with its idraaj].

Athaar Three:

Al-Hafidh Ibn Nasr al-Marwazee said: "Narrated to us Muhammad bin Yahya, narrated to us 'Abdurazzaq, narrated to us from Sufyan, from a man, from Tawus from Ibn Abbas, in His saying: "...such are the disbelievers". He said: 'Kufr which does not expel one out of the Millah.'" [Ta'theem Qadr is-Salah, number 573]

And the isnaad is da'eef due to the unknown man.

Athaar Four:

al-Haafith Ibn Nasr said: Narrated to us Yahya bin Yahya, Sufyan bin Uyaynah informed us, from Hishaam (bin Hujayr), from Tawus that Ibn Abbas said concerning His saying, "...such are the disbelievers", he said; it is not the Kufr which you are going to.

Comment: And this sanad, its people are trustworthy except Hishaam bin Hujayr al-Makki, for he has been weakened by the great A'immah:

Such as Ali bin al-Madeeneh, Yahya bin Saeed [al-Jarh wat-Ta'deel, vol.9 p.54]

Abdullah bin Ahmed said: "I asked Yahya about Hishaam bin Hujayr and he weakened him very much" [al-'Ilal wa ma'rifat ar-Rijaal, vol.2 p.30]

And he also said: "I heard my father [Imaam Ahmed] say: Hishaam bin Hujayr is a Makki, and he is weak in hadith" [See: Ibid, vol.1 p.204]

al-Uqayli recalled him in ad-Du'afaa.

Athaar Five:

al-Hakim narrated, from the way of Ali bin Harb, from Sufyaan bin 'Uyaynah from Hishaam bin Hujayr from Tawus, that Ibn Abbas said: "It is not the Kufr which you tend to, 'Whoever does not rule by what Allah has revealed, such are the disbelievers' is Kufr lesser than [greater] Kufr" [al-Mustadrak, vol.2 p.313]

And this athaar, despite its popularity, is also from the path of Hishaam bin Hujayr and he has been declared weak by the mountains of knowledge from amongst the Salaf.

Athaar Six:

Ibn Jareer at-Tabari said, narrated to us al-Muthanna, Abdullah bin Saleh said, Mu'aawiyah bin Saleh told us, that Ali bin Abi Talha, from Ibn Abbas that he

said concerning His saying: "Whoever does not rule by what Allah has revealed, such are the disbelievers", Whoever rejects what (He) revealed then he has disbelieved, and whoever affirms it, and does not rule by it, then he is a Dhâlim and Fâsiq." [Ibn Jareer's Tafsir, vol.4 p.256]

And Abdullah bin Saleh is: Ibn Muhammad bin Muslim al-Juhni al-Misri, al-Layth bin Sa'd scribe, and he is weak.

Abdullah bin Ahmed said: I asked my father about Abdullah bin Saleh, the scribe of al-Layth bin Sa'd, so he said: "He was at first firm, then he became corrupt, and he is nothing." Ibn al-Madeene said: "I do not narrate from him anything". [al-Ilal wa Ma'rifat ar-Rijaal, vol.2 p.213]

An-Nasa'ie said: "He is not trustworthy", Ahmed bin Saleh said: "He is accused, and is nothing", Saleh Jazarah said: "Ibn Mu'een used to consider him trustworthy, and he is to me a liar in hadith", Abu Zur'ah said: "To me he wasn't a person who intentionally lied, and he was acceptable in hadith" [al-Mizaan for ath-Thahabi, vol.4 p.441]

Abu Hatim said: "Trustworthy, truthful, I never knew him as such". And much has been said about Abdullah bin Saleh, but the summary is as follows, as Ibn Hibbaan mentions: He was righteous within himself, but many false ahadith were given to him by his neighbour, and I heard Ibn Khuzaymah say, 'He had a neighbour, with whom there was much enmity, and he [the neighbour] would narrate the false ahadith upon the Sheikh of Abu Saleh, and write it in a handwriting similar to 'Abdullah and he would throw it in his house amongst his books, so 'Abdullah would imagine that that was his own handwriting, and so he would end up narrating it. [al-Majrooheen for Ibn Hibbaan]

And in the isnaad is Ali bin Abi Talha, and his full name was Salem bin al-Makhaariq al-Haashimi, Ahmed bin Hanbal said: "Ali bin Abi Talha, has many criticisms upon him." [ad-Du'afaa, vol.3 p.234]

An-Nasa'ie said: "There is no problem with him." [al-Mizaan for ath-Thahabi, volume vol.3 p.134]

Al-Ajali said: "He is trustworthy." [Tareekh al-Thiqaat p.283]

Ibn Hibbaan considered him from the trustworthy reliable narrators, as can be seen in ath-Thiqaat, vol.7 p.211.

Yaqub narrated from Sufyaan that he is weak, and not reliable. And he also said: He is a Shaami, he is not avoided nor taken as evidence.

As for his narration from Ibn Abbas, then is it munqati'ah (not connected), for he did not hear from him. Ibn Abi Hatim said: I heard my father say, I heard Daheem saying: 'Ali bin Abi Talha did not hear Tafsir from Ibn Abbas. [al-Maraseel p.117]

Ibn Hibbaan said: "He narrated from Ibn Abbas and never saw him" [ath-Thiqaat vol.7 p.211]

And al-Burqa'ee quotes many more statements, and ends by saying: Al-Manwaawi quotes, in Fayd al-Qadir, vol.2 p.397, Ibn Abi Hatim saying regarding 'Abdullah bin Saleh: "He is really bad in hadith when narrating from Mu'aawiyah bin Saleh". And as any student of this art knows, whoever this kind of statement is said of, then he cannot be used as a witness to anything.

Furthermore, I found a refutation for al-Albani - the Sheikh of al-Halabi - were he criticised Ahmed Shakir for classifying this hadith, Abdullah bin Amr narrates, The angels said, "Oh our Lord, you gave the children of Adam the dunya letting them eat and drink in it....", so he (al-Albani) said: "And it is not correct to me, to declare this hadith as strong, relying upon that, with the statement of Abdullah bin Saleh, due to the latter being from those who have been criticised (dakhala alayh)" And then he mentioned Ibn Hibaan's statement as can be found above. [The explanation of at-Tahawiyyah, page 308]

And so, we conclude by saying that the only authentic narration concerning the Tafsir of this ayah, from Ibn Abbas is the following:

We were informed by Mu'Amr from Ibn Tawus from his father: "Ibn Abbas was asked about His saying:

"and whoever does not rule by what Allah has revealed, such are the disbelievers", (so) he said: "In it there is Kufr" (hiya bihi kufrun).

As for the rest, they are all weak, and Allah knows best what is correct.

In addition, Hassan bin Abir-Rabee al-Jurjaani said, that Abdurazzaq informed him that Mu'Amr narrated from Ibn Tawus from his father, the statement of Ibn Abbas, "It is enough Kufr for him" (kafaa bihi kufruh, as can be seen in Akh'bar al-Qadaa, vol.1 p.40 and onwards for Imaam Muhammad bin Khalaf bin Hayyaan, known as Wakee).

Statements by other companions and tab'een

'Abdullaah bin Mas'ood said, as mentioned by Ibn Katheer in his tafseer, that he was asked about bribery in judgement, so he said: "**That is the very kufr (thaak alkuf)**", and then he quoted the ayah, this is also mentioned by Ibn Jareer, who has numerous quotes for this, one of which is from the path of Masrooq who said: "I asked Ibn Mas'ood about as-suht (ill gotten wealth), is it [like] bribery in judgment?" So he said: "**No, whoever does not rule by what Allaah has revealed then he is a kaafir, whoever does not rule by what Allaah has revealed then he is a thaalim, whoever does not rule by what Allaah has revealed then he is a faasiq, but as-suht is when**

you help someone to do something oppressive, so he gives you a gift, so you accept it" [See Tafseer of at-Tabari, 6/240]

And at-Tabaraani collected, with a saheeh isnaad, from Ibn Mas'ood that he said: "***Bribery in judgement is kufr, and it is amongst the people ill gotten wealth***" [Ibn Hajr al-Makki collected it in az-Zawaajir, volume 2/189, Daar al-Ma'rifah print 1402 AH]

And similar to this was said by 'Umar bin al-Khattab and 'Ali bin Abi Taalib, radiAllaahu 'anhum, as has been collected by al-Aloosee al-Baghdaadi in his tafseer; he said: "And Ibn al-Munthir collected from Masrooq that he said: "I said to 'Umar bin al-Khattab, radiAllaahu ta'ala 'anh, "What do you think of bribery in judging, is it from the ill-gotten wealth? He said '***No, rather it is kufr, ill-gotten wealth is when a man has a position and rank in the view of a ruler, and the man seeks something from this ruler, he cannot achieve this thing, unless he gives the ruler a gift [and this is ill-gotten wealth].***"

And 'Abd bin Humayd collected from 'Ali, radiAllaahu ta'ala 'anh, that he was asked about as-suht (ill-gotten wealth), he said: "***It is bribery***", so he was asked, "In rulership", he replied: "***That is the very kufr***" (thaak al-kufr)". And al-Bayhaqi collected from Ibn Mas'ood similar to this statement". [See, Tafseer Rooh al-Ma'ani, for al-Aloosee, volume 3, part 6, page 140]

And similar to this has been said by the tabi'een, from them: al-Hasan al-Basri, Sa'eed bin Jubayr, Ibraheem an-Nakh'ee, as-Suddi, Ibn Qudaamah al-Hanbali said: "Allaah ta'ala said: "Akaloona lis-suht" (Takers of ill-gotten wealth), al-Hasan and Sa'eed bin Jubayr explained it to be, "It is bribery", and said: "If the judge takes bribes, then it reaches al-kufr". [al-Mughni ma' ash-Sharh al-Kabeer, volume 11/437-438]

al-Qaasimi said regarding its tafseer, as has been mentioned in al-Lubaab, that Ibn Mas'ood, al-Hasan and an-Nakh'iee said: "These ayaat are general regarding the Jews, and regarding this ummah, so whoever takes bribes, and replaces the judgement of Allaah, so he ruled by other than what Allaah has revealed, then he has disbelieved, and oppressed and become evil, and to it went as-Suddi [And this statement of as-Suddi, was recalled by Ibn Katheer, and Ibn Jareer collected with his sanad: "***Whoever does not rule by what Allaah has revealed***", he [as-Suddi] said: "Whoever does not rule by what I revealed, so he left it intentionally, and transgressed whilst knowing, then he is from the disbelievers". See Tafseer at-Tabari, volume 6/257.], and it is the apparent meaning of the statement [i.e. the ayah, See Mahaasin at-Ta'weel, for al-Qaasimi, volume 6/215, Daar al-Fikr print, 1398 AH]